LAW AND PARLIAMENTARY AFFAIRS SECRETARIAT

Establishment of Directorate of Prosecution in the State

PREAMBLE.—

Prosecution of criminal cases in the Sessions Courts are conducted by the Public Prosecutors and of cases in the Magistrates' courts are conducted by the Assistant Public Prosecutors. The Public Prosecutors are appointed for a term from among practising advocates. The Assistant Public Prosecutors are appointed under the Mysore Assistant Public Prosecutors Service (Recruitment) Rules, 1967.

The Law Commission in its Fourteenth Report has recommended the creation of a separate Prosecuting Agency to be called the Directorate of Prosecutions, independent of the police, so that such prosecutions are conducted properly and efficiently.

In view of the recommendation made by the Law Commission and in order that proper administration of Criminal Justice is ensured, the Government of Mysore considers it necessary to form a separate Directorate of Prosecution.

ORDER No. LAW 114 LAG 72, BANGALORE, DATED THE 30TH DECEMBER 1972.

Accordingly, Government of Mysore hereby sanctions, with effect from the date of Government order the establishment of Directorate of Prosecution with the following staff, namely :—

1. Two Directors of Prosecution one for the Revenue Divisions of Bangalore and Mysore. with Headquarters at Bangalore and the other for the Revenue Divisions of Belgaum and Gulbarga, with Headquarters at Dharwar :

2. Four Deputy Directors of Prosecutions, at the rate of two for each of the two Directors of Prosecutions, in the pay scale of Rs. 700–1100;

3. Twenty-five Senior Assistant Public Prosecutors in the pay scale of Rs. 400–900; these posts shall be Class I gazetted posts ;

4. One hundred twenty-three Assistant Public Prosecutors in the pay scale of Rs. 300–700, consisting of the existing incumbents of the Assistant Public Prosecutors with the condition that as and when such of them are promoted as Senior Assistant Public Prosecctors the number of these posts get reduced proportionately.; these posts shall be Class II gazetted posts.

5. The following office staff for each of the two Directors of Prosecutions namely :—

Superintendent	....	1
First Division Clerks	....	2
Second Division Clerks	....	4
Stenograper	....	1
Typists	....	2
Dalayat	....	1

The scale of pay of these posts shall be the same as the scale of pay of the corresponding posts in offices of Heads of Departments other than Mysore Government Secretariat. These posts shall be filled for the present by deputation from other Government offices.

II. The Directors of Prosecution shall be appointed by deputation of District Judges. The Directors of Prosecution shall be Heads of their respective offices exercising supervision and control over the conduct of prosecutions in the Sessions Courts and Magistrates courts arising within their respective jurisdiction.

III. The Deputy Directors of Prosecution shall be appointed either by promotion of Senior Assistant Public Prosecutors on the basis of seniority-*cum*-merit or by deputation of Civil Judges. They shall be subordinate to the Directors of Prosecution to whom they are attached. They shall assist the respective Directors in the discharge of their functions.

IV. The twenty-five posts of Senior Assistant Public Proecutors shall be filled by promotion of Assistant Public Prosecutors on the basis of seniority-*cum*-merit, seniority being determined on the basis of length of service.

V. The Senior Assistant Public Prosecutors in addition to conducting prosecutions in the Magistrates Courts will take up important criminal cases in the District as and when so directed by the Director and shall conduct them under his supervision. The Assistant Public Prosecutors will conduct prosecution in the Magistrates Courts under the supervision of the Director.

VI. The Director shall also have supervisory powers over the conduct of cases in Sessions Courts by the Public Prosecutors.

VII. The Government in the Department of Law and Parliamentary Affairs shall deal with the subject matter of Directorate of Prosecution. Necessary amendments to the Mysore Government Rules of Business Rules, 1964 and detailed orders regarding the functions of the Directors of Prosecutions, the functions of other officers *vis-a-vis* the Director, etc. will be issued separately.

VIII. The Director of Printing and Stationery will supply necessary stationary forms and registers to each of the officers of Director of Prosecutions as per rules.

IX. The extra costs involved in the proposal which will be approximately Rs. 1,85,276 per annum over the staff as detailed in the Annexure shall be debited to "21. Administration of Justice-b. Law Officers-2. Pay of Establishment and Allowance-Honorarium". Demands for additional grants will be placed during the next Budget, if necessary.

X. This order issues with the concurrence of the Finance Department *vide* U.O. No. 1911, dated 18th September, 1972.

By Order and in the name of the Governor of Mysore,

N. D. VENKATESH,
Secretary to Government,
Department of Law and Parliamentary Affairs.

COMMERCE AND INDUSTRIES SECRETARIAT

Reservation of area of Sugar Cane for the Hiranyakeshi Sahakari Sakkare Karkhane Niyamita, Sankeshwar.

ADDENDUM

No. CI 69 DSF 72, BANGALORE DATED, THE 6TH FEBRUARY, 1973.

In schedule I to Government Order No. CI 67 DSF 72 dated 19th December 1972 the village 87 Hanchinal (K. S.) shall be added after Sl. No. 86 under Chikodi Taluka.

By Order and in the name of the Governor of Mysore,

A. C. RAMAKRISHNA,
Under Secretary to Government,
Commerce and Industries Department.